

CHAPTER 395. VOCATIONAL TRAINING

FEDERAL AND STATE AID TO VOCATIONAL EDUCATION Act 149 of 1919

AN ACT to accept the requirements and benefits of an act of the sixty-fourth congress of the United States, approved February 23, 1917, known as the Smith-Hughes act, or Public Act No. 347, relating to appropriations to be made by the federal government to the several states for the support and control of instruction in agriculture, the trades, industries, and home economics, and for the preparation of teachers of vocational subjects; to designate a state board of control for vocational education; to provide for the proper custody and administration of funds received by the state from such appropriations; and to provide for appropriations by the state and by local school authorities to meet the conditions of said act of congress.

History: 1919, Act 149, Eff. Aug. 14, 1919.

The People of the State of Michigan enact:

395.1 Federal act providing for vocational education; acceptance by state, appropriations.

Sec. 1. The provisions of an act of congress enacted by the sixty-fourth congress in the second session thereof known as Public Act No. 347, entitled "An act to provide for the promotion of vocational education; to provide for co-operation with the states in the promotion of such education in agriculture and the trades and industries; to provide for co-operation with the states in the preparation of teachers of vocational subjects, and to appropriate money and regulate its expenditure," are hereby accepted by the state of Michigan as follows:

- (a) Appropriations for the salaries of teachers, supervisors and directors of agricultural subjects;
- (b) Appropriations for the salaries of teachers of trade, home economics, and industrial subjects;
- (c) Appropriations for the preparation of teachers of agricultural, trade, industrial and home economics subjects.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7712;—CL 1948, 395.1.

Compiler's note: For provisions of Public Act No. 347, referred to in this section, see 20 U.S.C. § 11 et seq.

For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

Former law: See Act 189 of 1917.

395.2 Federal act; acceptance of benefits of funds.

Sec. 2. The benefits of all funds appropriated by the federal government under the provisions of said act are hereby accepted as provided in said act, and provision is herein made under which the state of Michigan will meet such appropriations and provisions.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7713;—CL 1948, 395.2.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

395.3 State board of control for vocational education; membership, terms; administration of act, expenses.

Sec. 3. The membership of the state board of control for vocational education shall consist of the superintendent of public instruction, the president of the state board of education, the president of the university of Michigan, the president of the Michigan state university of agriculture and applied science and 3 members to assure proper representation of employers, employees and agricultural interests. Said appointees shall be appointed by the governor, by and with the advice and consent of the senate, for terms expiring January 31 in each odd year: Provided, however, That said appointees shall serve until the appointment and qualification of their successors.

The state superintendent of public instruction shall be the executive officer of the state board of control, and he shall, with the approval of said board, provide for the administration of the provisions of this act. Said board is charged with the duty and responsibility of cooperating with the federal board for vocational education in the administration of such act, and is given all power necessary to such cooperation. The state

board of control for vocational education is hereby authorized to incur such expenditures for office administration, traveling and other incidental expenses as it may deem necessary to the proper administration of the funds allotted to the state of Michigan under the provisions of said act.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7714;—CL 1948, 395.3;—Am. 1955, Act 127, Eff. Oct. 14, 1955.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

395.4 State treasurer; custody of funds, annual report.

Sec. 4. The state treasurer is hereby appointed as custodian of all funds for vocational education as provided in said act and in this act, and is charged with the duty and responsibility of receiving and providing for the proper custody, and for the proper disbursements of such moneys on requisition of the said board of control for vocational education. The state treasurer as custodian of such funds for vocational education shall make an annual report to the governor and the legislature concerning the receipts and disbursements of such moneys received by him under the provisions of said act and of this act.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7715;—CL 1948, 395.4.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

395.5 Expenses of instruction; reimbursement of schools by state, limitation; training of vocational teachers reimbursement; state appropriations.

Sec. 5. The board of education or board of control of any approved public school, department, part time or evening class giving instruction in agricultural, industrial or home economics subjects, which receive the benefit of federal and state moneys as herein provided, shall provide suitable buildings and equipment in order to give such instruction; and shall also appropriate for the salaries of instructors a sum of money sufficient to cover the expense for instruction during the year. At the end of the fiscal year the state board of control for vocational education shall apportion to the several boards of education, or boards of control of schools maintaining approved departments for vocational education as herein described, the state and federal funds by way of reimbursements for expenditures for instruction, giving to each school its proportionate share: Provided, That no school shall receive a larger amount than 3/4 of the sum which has been expended for the particular type of education for which it received state and federal funds. The institutions authorized to give training for vocational teachers shall provide suitable rooms and equipment, and appropriate sufficient funds to pay instructors and supervisors during the year, and at the end of the year such institutions shall be reimbursed from federal and state funds, equally. There is hereby authorized to be appropriated and paid from the state treasury to the several schools giving vocational instruction under the provisions of this act, and for their supervision, a sum of money equal to 1/2 the federal allotment; and there is hereby further authorized to be apportioned and paid from the state treasury to the several institutions engaged in the training of teachers of vocational subjects a sum equal to the allotment of federal moneys as provided in said act.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7716;—CL 1948, 395.5.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

395.6 State board of control; rules and regulations; disbursements; annual reports.

Sec. 6. The state board of control for vocational education shall formulate such rules and regulations as may be necessary for the development and operation of such vocational schools, and for the training of teachers as are provided for in said act, subject to the approval of the federal board of control. All disbursements of state and federal money under the provisions of this act shall be made annually on or before the tenth day of July in each year. The board of education or board of control of any school where vocational instruction is given under the provisions of this act; also boards of control of institutions giving vocational teacher training, as herein provided, shall make an annual report to the state superintendent of public instruction at such time and in such form as he may require.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7717;—CL 1948, 395.6.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

Administrative rules: R 395.231 et seq. of the Michigan Administrative Code.

395.7 State board of control; inspection of schools; certification of amounts due; payment.

Sec. 7. The state board of control for vocational education shall provide for the proper inspection of the work in the schools and institutions which operate under the provisions of this act. And upon the approval of the work done and the receipt of satisfactory reports from each school or institution, the state superintendent of public instruction shall certify to the state treasurer the amount of the state and federal money due to each board of education, or board of control of any school maintaining a vocational school or department, and to the board of control of each institution engaged in the training of teachers of vocational subjects according to the provisions of this act. The state treasurer shall, upon the certificate of the superintendent of public instruction, draw his or her warrant for the amount of money due to each school district or institution and payable to the treasurer of the board of education or of the board of control of the institution, and those amounts shall be forwarded to the treasurers.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7718;—CL 1948, 395.7;—Am. 2002, Act 83, Imd. Eff. Mar. 26, 2002.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

395.8 State board of control; estimate of money to meet federal appropriations; report to state treasurer; tax levy.

Sec. 8. The state board of control for vocational education shall estimate the amount of money which should be appropriated by the state to meet federal allotments during each succeeding biennial period, and when the state board of control shall have estimated the amount of money necessary to meet the federal appropriations, they shall report said estimate to the state treasurer, who shall include that amount of money in the state tax levy for each year as reported to the state legislature.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7719;—CL 1948, 395.8;—Am. 2002, Act 83, Imd. Eff. Mar. 26, 2002.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

395.9 State board of control; annual examination of school records.

Sec. 9. At the close of each fiscal year the state board of control for vocational education shall examine the records and reports from all schools giving vocational instruction, and from institutions engaged in the training of vocational teachers; and shall apportion funds from the federal government and from the state treasury in accordance with plans approved by the federal board of control, and in accordance with the provisions of this act, and of the said federal act.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7720;—CL 1948, 395.9.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

395.10 State board of control; annual report of expenditures.

Sec. 10. The state board of control for vocational education shall make an annual report to the governor and to the legislature in regard to the administration of this act, and of the federal act herein mentioned, and said report shall contain an explicit statement of the expenditures of all moneys, both federal and state, for the purposes mentioned in this act.

History: 1919, Act 149, Eff. Aug. 14, 1919;—CL 1929, 7721;—CL 1948, 395.10.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

VOCATIONAL EDUCATION; TRANSFER OF POWERS AND DUTIES
Act 28 of 1964

AN ACT to transfer the powers, duties and functions of the state board of control for vocational education to the state board of education.

History: 1964, Act 28, Eff. Aug. 28, 1964.

The People of the State of Michigan enact:

395.21 State board of control; abolition; transfer of powers, duties and functions to state board of education.

Sec. 1. The state board of control for vocational education created under section 3 of Act No. 149 of the Public Acts of 1919, as amended, being section 395.3 of the Compiled Laws of 1948, is abolished, and all of its powers, duties and functions are transferred to the state board of education effective January 1, 1965.

History: 1964, Act 28, Eff. Aug. 28, 1964.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

Administrative rules: R 395.231 et seq. of the Michigan Administrative Code.

***** ACT 44 OF 1964 THIS ACT IS SUBJECT TO CONDITIONAL EXPIRATION: See 395.34 *****

FEDERAL FUNDS FOR VOCATIONAL EDUCATION
Act 44 of 1964

AN ACT to authorize the state board of control for vocational education to accept federal funds as provided under the provisions of federal law.

History: 1964, Act 44, Imd. Eff. May 6, 1964.

The People of the State of Michigan enact:

***** 395.31 THIS SECTION IS SUBJECT TO CONDITIONAL EXPIRATION: See 395.34 *****

395.31 Vocational education act of 1963; state board of control, compliance; acceptance and disbursement of federal funds.

Sec. 1. The state board of control for vocational education may take any necessary action consistent with state law to comply with the provisions of Public Law 210 of the 88th Congress known as the "vocational education act of 1963" and may accept and expend federal funds available under that law for the purpose of strengthening and improving the quality of vocational education and to expand vocational education opportunities in this state.

History: 1964, Act 44, Imd. Eff. May 6, 1964.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

***** 395.32 THIS SECTION IS SUBJECT TO CONDITIONAL EXPIRATION: See 395.34 *****

395.32 Construction of act as to expenditure of state funds; accounting.

Sec. 2. This act shall not be construed as authorizing such board to expend or to incur any obligation to expend any state funds in excess of any amount which may be appropriated for such purpose by the legislature. Any funds appropriated shall be paid out of the state treasury in accordance with any fund accounting procedures necessary to assure proper accounting for federal funds paid to the state.

History: 1964, Act 44, Imd. Eff. May 6, 1964.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

***** 395.33 THIS SECTION IS SUBJECT TO CONDITIONAL EXPIRATION: See 395.34 *****

395.33 State board of control; annual report to state legislature.

Sec. 3. The state board of control shall make an annual report of all activities and expenditures made under this act to the state legislature.

History: 1964, Act 44, Imd. Eff. May 6, 1964.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

***** 395.34 THIS SECTION IS SUBJECT TO CONDITIONAL EXPIRATION: See 395.34 *****

395.34 Expiration of act.

Sec. 4. This act shall expire when federal funds are no longer available under the provisions of such Public Law 210.

History: 1964, Act 44, Imd. Eff. May 6, 1964.

Compiler's note: As to validity of enactment of "sunset provision" under Const 1963, art 4, § 24, see OAG, 1987-1988, No 6438 (May 21, 1987).

For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties
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of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers of department of labor and economic growth regarding career and technical education program for secondary students to department of education by type II transfer, see E.R.O. No. 2007-1, compiled at MCL 388.998.

FEDERAL FUNDS FOR VOCATIONAL EDUCATION
Act 59 of 1966

AN ACT to authorize the state board of education to accept federal funds provided under the provisions of the national vocational student loan insurance act of 1965; and to provide for the expenditure of such funds.

History: 1966, Act 59, Imd. Eff. June 9, 1966.

The People of the State of Michigan enact:

395.41 National vocational student loan insurance act of 1965; state board of education, compliance; acceptance and expenditure of federal funds.

Sec. 1. The state board of education may take any necessary action consistent with state law to comply with the provisions of Public Law 287 of the 89th Congress, known as the "national vocational student loan insurance act of 1965", and may accept and expend federal funds available under this law.

History: 1966, Act 59, Imd. Eff. June 9, 1966.

395.42 Construction of act as to expenditure of state funds; limitation; accounting.

Sec. 2. This act shall not be construed as authorization to expend nor to incur any obligation to expend any state funds in excess of any amount which may be appropriated for such purpose by the legislature. Any funds appropriated shall be paid out of the state treasury in accordance with state accounting procedures necessary to assure proper distribution of and accounting for federal funds paid to the state.

History: 1966, Act 59, Imd. Eff. June 9, 1966.

VOCATIONAL REHABILITATION
Act 211 of 1921

395.51-395.65 Repealed. 1964, Act 232, Imd. Eff. May 22, 1964.

***** *Act 198 OF 1962 THIS ACT IS SUBJECT TO CONDITIONAL EXPIRATION: See 395.73* *****

FEDERAL FUNDS FOR VOCATIONAL EDUCATION
Act 198 of 1962

AN ACT to authorize the state board of control for vocational education to accept federal funds with which to establish a program to alleviate conditions of persistent unemployment and underemployment in certain economically distressed areas.

History: 1962, Act 198, Imd. Eff. June 5, 1962.

The People of the State of Michigan enact:

***** *395.71 THIS SECTION IS SUBJECT TO CONDITIONAL EXPIRATION: See 395.73* *****

395.71 Federal area redevelopment and manpower development and training acts; state board of education, compliance; acceptance and expenditure of federal funds.

Sec. 1. The state board of control for vocational education may take any necessary action consistent with state law to comply with the provisions of section 16 of Public Law 87-27 known as the "area redevelopment act" and with the provisions of Public Law 87-415 known as the "manpower development and training act of 1962" and may accept and expend federal funds available under such acts for the occupational training or retraining needs of unemployed or underemployed individuals residing in a redevelopment area of the state.

History: 1962, Act 198, Imd. Eff. June 5, 1962.

***** *395.72 THIS SECTION IS SUBJECT TO CONDITIONAL EXPIRATION: See 395.73* *****

395.72 Construction of act as to state appropriations for occupational training or retraining.

Sec. 2. This act shall not be construed as authorizing such board to expend nor to incur any obligation to expend any state funds in excess of any amount which may be appropriated for such purpose by the legislature. Any funds appropriated shall be paid out of the state treasury in accordance with any fund accounting procedures necessary to assure proper distribution of and accounting for federal funds paid to the state.

History: 1962, Act 198, Imd. Eff. June 5, 1962.

***** *395.73 THIS SECTION IS SUBJECT TO CONDITIONAL EXPIRATION: See 395.73* *****

395.73 Expiration of act.

Sec. 3. This act shall expire when the federal funds are no longer available to this state.

History: 1962, Act 198, Imd. Eff. June 5, 1962;—Am. 1963, Act 43, Imd. Eff. Apr. 29, 1963;—Am. 1964, Act 45, Imd. Eff. May 6, 1964.

Compiler's note: As to validity of enactment of "sunset provision" under Const 1963, art 4, § 24, see OAG, 1987-1988, No 6438 (May 21, 1987).

REHABILITATION ACT OF 1964

Act 232 of 1964

AN ACT to provide for educational and other needed services through a vocational rehabilitation program for disabled persons; to authorize an annual appropriation of funds for vocational rehabilitation; to authorize the state board of education to administer such a program; to provide for the proper custody and administration of funds received by the state from federal and other sources; and to repeal certain acts and parts of acts.

History: 1964, Act 232, Imd. Eff. May 22, 1964.

The People of the State of Michigan enact:

395.81 Vocational rehabilitation act of 1964; short title.

Sec. 1. This act shall be known and may be cited as the “rehabilitation act of 1964”.

History: 1964, Act 232, Imd. Eff. May 22, 1964.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the State Board of Education pursuant to the Rehabilitation Act, Act No. 232 of the Public Acts of 1964, being Section 395.81 et seq. of the Michigan Compiled Laws, Act No. 111 of the Public Acts of 1952, as amended, being Section 395.151 et seq. of the Michigan Compiled Laws, and Act No. 317 of the Public Acts of 1969, as amended, being Section 418.101 et seq. of the Michigan Compiled Laws, to the Michigan Jobs Commission, see E.R.O. No. 1993-11, compiled at MCL 388.991 of the Michigan Compiled Laws.

For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Transfer of powers: See MCL 16.731.

395.82 Definitions.

Sec. 2. As used in this act:

(a) “State board” means the state board of education.

(b) “Vocational disability” means any disability except blindness which constitutes, contributes to, or if not corrected will probably result in an obstruction to occupational performance.

(c) “Disabled individual” means any person, other than a person who is blind, who has a vocational disability.

(d) “Vocational rehabilitation” and “vocational rehabilitation services” mean any educational or other needed services including, but not limited to, determination of extent of disability, vocational diagnosis, vocational guidance, rehabilitation training, medical services, transportation, maintenance, and training books and materials, found to be necessary to compensate a disabled individual for his or her vocational disability, and to enable him or her to engage in a suitable occupation or to be assisted into independent living.

History: 1964, Act 232, Imd. Eff. May 22, 1964;—Am. 1998, Act 43, Imd. Eff. Mar. 18, 1998.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.83 State board of education; administration of act; rules, regulations and standards; professional and clerical staff.

Sec. 3. The state board shall be the agency responsible for the administration of the vocational rehabilitation program under the provisions of this act, and shall make all rules, regulations and standards necessary therefor, in accordance with Act No. 88 of the Public Acts of 1943, as amended, being sections 24.71 to 24.82 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948. The board shall employ the professional and clerical staff it deems necessary to carry out the provisions of this act within the appropriations available for this purpose.

History: 1964, Act 232, Imd. Eff. May 22, 1964.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Administrative rules: R 395.1 et seq. of the Michigan Administrative Code.

395.84 State board of education; services to disabled individuals; cooperation with other agencies; collection of fees; report.

Sec. 4. (1) The state board shall provide vocational rehabilitation services to disabled individuals

determined eligible pursuant to rules promulgated by the state board. The board may cooperate with other public and private departments, agencies, and institutions to provide for the vocational rehabilitation of disabled individuals, to study the problems involved therein, and may establish, develop, and provide any programs, facilities, and services as may be necessary.

(2) If an employer or carrier is responsible under applicable state or federal worker's compensation law for the provision of vocational rehabilitation services to an employee, and the services are provided by the state board, the state board shall collect fees from the responsible employer or carrier in an amount equal to the full costs of providing the vocational rehabilitation services.

(3) If an insurer or self-insurer is responsible under applicable state or federal auto insurance law for the provision of vocational rehabilitation services to an injured person, and the services are provided by the state board, the state board shall collect fees from the responsible insurer or self-insurer in an amount equal to the full costs of providing the vocational rehabilitation services.

(4) The state board shall collect fees in an amount equal to the full cost of providing vocational rehabilitation services under any other state or federal law that establishes responsibility for the provision of vocational rehabilitation services on a party other than the injured person unless otherwise prohibited by an applicable statute.

(5) If the state board is requested to provide vocational rehabilitation services to individuals not eligible for services under the federal rehabilitation act, and the services are provided by the state board, the state board shall collect fees from the individual, agency, or organization requesting the services in an amount equal to the full costs of providing the vocational rehabilitation services.

(6) The state board shall submit a report to the senate labor committee and the house labor committee by May 1, of each odd-numbered year for the preceding 2 calendar years which shall indicate the extent of vocational rehabilitation services provided, the amount of fees collected, and the source of those fees.

History: 1964, Act 232, Imd. Eff. May 22, 1964;—Am. 1982, Act 315, Imd. Eff. Oct. 18, 1982;—Am. 1985, Act 194, Imd. Eff. Dec. 20, 1985.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Administrative rules: R 395.1 et seq. of the Michigan Administrative Code.

395.85 Appropriations.

Sec. 5. The state board shall recommend annually the amount required to be appropriated by the state and report the same to the governor and budget director. The legislature shall make an appropriation each year for carrying out the purposes of this act.

History: 1964, Act 232, Imd. Eff. May 22, 1964.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.86 State board of education; cooperation with federal government.

Sec. 6. The state board, pursuant to state-federal agreements, may cooperate with the federal government in carrying out the purposes of any federal statutes pertaining to vocational rehabilitation, and may adopt such methods of administration as are found to be necessary for the proper and efficient operation of the agreements or plans for vocational rehabilitation and to comply with conditions as may be necessary to secure the full benefits of the federal statutes.

History: 1964, Act 232, Imd. Eff. May 22, 1964.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.87 State treasurer; custody of funds, disbursement.

Sec. 7. The state treasurer shall be the custodian of all vocational rehabilitation funds received from the federal government or other sources. The state treasurer shall make disbursements from the funds and from all state funds available for vocational rehabilitation purposes upon certification of the state board in accordance with the accounting laws of the state.

History: 1964, Act 232, Imd. Eff. May 22, 1964.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.88 Gifts; acceptance, use.

Sec. 8. The state board may accept and use gifts made by bequest or otherwise for carrying out the purposes of this act. Gifts made under such conditions as in the judgment of the state board are proper and consistent with the provisions of this act may be so accepted and shall be held, invested, reinvested and used in accordance with the conditions of the gifts.

History: 1964, Act 232, Imd. Eff. May 22, 1964.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.89 State board of education; biennial report to governor and state legislature.

Sec. 9. The state board shall make at the close of each biennium a biennial report to the governor and to the legislature in regard to the administration of this act. The report shall contain a statement of the expenditures of all moneys, both federal and state, for the purposes mentioned in this act.

History: 1964, Act 232, Imd. Eff. May 22, 1964.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.90 Repeal.

Sec. 10. Act No. 211 of the Public Acts of 1921, being sections 395.51 to 395.65 of the Compiled Laws of 1948, is repealed.

History: 1964, Act 232, Imd. Eff. May 22, 1964.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

PROPRIETARY SCHOOLS ACT
Act 148 of 1943

AN ACT to provide for the regulation and licensing of proprietary schools in the state; to require surety; to provide for collection and disposition of fees; and to prescribe penalties for the violation of this act.

History: 1943, Act 148, Imd. Eff. Apr. 14, 1943;—Am. 1945, Act 181, Imd. Eff. May 16, 1945;—Am. 1957, Act 21, Eff. Sept. 27, 1957;—Am. 1967, Act 210, Eff. Nov. 2, 1967;—Am. 1983, Act 60, Imd. Eff. May 20, 1983.

The People of the State of Michigan enact:

395.101 Proprietary school; temporary permit or license; duration; fee; renewal; revocation; granting temporary permit or license to operate proprietary school in conjunction with another business or commercial enterprise prohibited; sale of goods produced or services provided by student enrolled in educational program.

Sec. 1. (1) A person shall not operate a proprietary school in this state without a temporary permit or license from the department under this act. The department shall prescribe the form of license and temporary permit.

(2) A license issued under this act to a proprietary school that is accredited by a national or regional accrediting agency recognized by the United States secretary of education is valid for 3 years. A license issued under this act to any other proprietary school is not valid for more than 1 year. A proprietary school that is issued either a 1-year license or a 3-year license shall pay an annual license fee set by the department under section 2a(2). The department may renew the license of a person that continues to comply with this act and the rules promulgated under this act.

(3) The department may revoke a license granted under this act at any time if, in the judgment of the department, the person to which the license is issued is not complying with any applicable law or the rulings of the department.

(4) Except as provided in subsection (5), the department shall not grant a temporary permit or a license to operate a proprietary school as part of, or in conjunction with, another business or commercial enterprise that utilizes or sells goods or services produced by students.

(5) A proprietary school may sell goods produced or services provided by a student enrolled in an educational program operated by a proprietary school, and the department may not refuse to grant a temporary permit or license to a proprietary school if all of the following are met:

(a) The program includes classroom study and practical training.

(b) Any practical training included in the program is supervised by a member of the faculty.

(c) It is an integral part of the program that the student engage in producing the goods or providing the services as part of his or her practical training. The school shall clearly disclose to the student in writing before he or she enrolls in the program that the school intends to sell any goods or services produced by the student as part of his or her practical training. The school shall include this disclosure in a signed enrollment agreement between the school and the student.

(d) Any customer purchasing goods produced or services provided by a student in the program is provided written notification that the individual producing the goods or providing the services is a student of the school.

(e) Money from the sale of the goods or services is used solely to support the school.

(f) The school does not charge a student a monetary penalty or increase his or her program hours beyond the number approved by the department if he or she does not attend any practical training, or require a student to recruit purchasers of the goods and services, unless that obligation is clearly disclosed to the student in writing before he or she enrolls in the program.

History: 1943, Act 148, Imd. Eff. Apr. 14, 1943;—CL 1948, 395.101;—Am. 1949, Act 258, Eff. Sept. 23, 1949;—Am. 1967, Act 210, Eff. Nov. 2, 1967;—Am. 1983, Act 60, Imd. Eff. May 20, 1983;—Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.101a Short title; definitions.

Sec. 1a. (1) This act shall be known and may be cited as the "proprietary schools act".

(2) As used in this act:

(a) "Department" means the department of licensing and regulatory affairs.

(b) "Person" means an individual, partnership, corporation, limited liability company, association,

organization, or other legal entity.

(c) "Proprietary school" means a school that uses a certain plan or method to teach a trade, occupation, or vocation for a consideration, reward, or promise of any kind. Proprietary school includes, but is not limited to, a private business, trade, or home study school. Proprietary school does not include any of the following:

- (i) A school or college possessing authority to grant degrees.
- (ii) A school licensed by law through another board or department of this state.
- (iii) A school maintained or a program conducted, without profit, by a person for that person's employees.
- (iv) A school or program within a school that exclusively provides yoga instruction, yoga teacher training, or both.

History: Add. 1983, Act 60, Imd. Eff. May 20, 1983;—Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010;—Am. 2016, Act 146, Imd. Eff. June 7, 2016.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.102 Issuance of license; conditions; temporary permit to operate proprietary school; proposal; contents; duration of temporary permit; renewal.

Sec. 2. (1) The department shall not issue a license under this act unless the license applicant has operated under a temporary permit from the department in a manner satisfactory to the department and the department has approved the method and content of the advertising, the standards and the methods of instruction, the personnel, and the operating and instructional practices of the school.

(2) The department may grant a temporary permit to operate a proprietary school based on a written proposal submitted in the manner and form prescribed by the department. The proposal shall include plans for facilities, instructional procedures, personnel, business standards, and operating and instructional practices that comply with this act and with rules promulgated under this act. A temporary permit issued under this act is not valid for more than 1 year. The department may renew the temporary permit of a person that continues to comply with this act and the rules promulgated under this act.

History: 1943, Act 148, Imd. Eff. Apr. 14, 1943;—CL 1948, 395.102;—Am. 1949, Act 258, Eff. Sept. 23, 1949;—Am. 1983, Act 60, Imd. Eff. May 20, 1983;—Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.102a Inspection of proprietary schools; rules; reports; records; fees; jurisdiction and control.

Sec. 2a. (1) The department shall provide for adequate inspection of all proprietary schools. The department shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and employ the personnel necessary to administer this act. A proprietary school shall submit reports required by the department and shall make available to authorized representatives of the department all records pertaining to the instructional program of the school or to any individual student or enrollee.

(2) The department shall set and collect fees for licenses, temporary permits, and renewals issued under this act. The fees shall be used solely for administrative expenses incurred under this act.

(3) The department shall exercise jurisdiction and control over proprietary schools consistent with this act.

History: Add. 1949, Act 258, Eff. Sept. 6, 1949;—Am. 1983, Act 60, Imd. Eff. May 20, 1983;—Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010;—Am. 2014, Act 157, Imd. Eff. June 11, 2014.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Administrative rules: R 390.561 et seq. of the Michigan Administrative Code.

395.102b Evidence of surety; bond; amount; rules; expiration of surety; proof of renewal; failure to submit evidence of surety; applicability of section.

Sec. 2b. A proprietary school shall provide the department with evidence of surety conditioned to provide indemnification to a student suffering loss because of inability to complete an approved course or program of study due to the closing of the proprietary school. The surety may consist of a bond, the amount of which shall be determined according to rules promulgated by the department. Surety shall expire on June 30 following the date of issuance and the proprietary school must submit proof of renewal to the department before the date of expiration. Any failure to submit evidence of surety invalidates a license to operate a

proprietary school. This section does not apply to a proprietary school with a license issued under this act before November 2, 1967.

History: Add. 1967, Act 210, Eff. Nov. 2, 1967;—Am. 1983, Act 60, Imd. Eff. May 20, 1983;—Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010.

Compiler's note: Former MCL 395.102b, pertaining to solicitor's permit for private trade schools and institutes, was repealed by Act 40 of 1963.

For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Administrative rules: R 390.561 et seq. and R 390.671 of the Michigan Administrative Code.

395.102c Written policy for complaints filed by students.

Sec. 2c. A proprietary school licensed under this act shall adopt and publish a written policy that allows students to file a complaint with the department for any violation of this act or rules promulgated under this act.

History: Add. 2009, Act 212, Imd. Eff. Jan. 4, 2010.

395.103 Violation of act as misdemeanor; penalty; limitations.

Sec. 3. (1) In lieu of revocation under section 1(3), the department may assess an administrative fine against a proprietary school of not more than \$1,000.00 for a violation of this act or rules promulgated under this act. However, the department may not assess administrative fines under this subsection against a proprietary school that in the aggregate are more than \$5,000.00 for multiple violations of this act or rules promulgated under this act that arise from the same transaction.

(2) A proprietary school that violates this act and has its license revoked, or that operates in this state without a license, is guilty of a misdemeanor punishable by a fine of not more than \$10,000.00, or imprisonment for not more than 1 year, or both.

History: 1943, Act 148, Imd. Eff. Apr. 14, 1943;—CL 1948, 395.103;—Am. 1983, Act 60, Imd. Eff. May 20, 1983;—Am. 2009, Act 212, Imd. Eff. Jan. 4, 2010.

Compiler's note: For transfer of certain powers and duties vested in the department of career development or its director, relating to powers and duties of state board of education or superintendent of public instruction to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

PRIVATE TRADE SCHOOLS, BUSINESS SCHOOLS, CORRESPONDENCE SCHOOLS, AND INSTITUTES Act 40 of 1963

395.121-395.125 Repealed. Act 157, Imd. Eff. June 11, 2014.

MICHIGAN VETERANS' VOCATIONAL SCHOOL AT PINE LAKE
Act 111 of 1952

AN ACT to provide for the establishment of the Michigan veterans' vocational school at Pine lake (Doster, Michigan) as a state institution under the control of the state board of education.

History: 1952, Act 111, Eff. Sept. 18, 1952.

The People of the State of Michigan enact:

395.151 State technical institute and rehabilitation center; continuation of Michigan veterans' vocational school, operation.

Sec. 1. The state of Michigan having already accepted a gift from the Kellogg foundation of the Michigan veterans' vocational school at Pine lake (Doster, Michigan) together with all its properties, real, personal and mixed, said school shall be continued as a state institution under the name of state technical institute and rehabilitation center under the supervision and management of the state board of education. As a state institution it shall be operated in accordance with policies and curricula established by the state board of education.

History: 1952, Act 111, Eff. Sept. 18, 1952;—Am. 1959, Act 69, Eff. Mar. 19, 1960;—Am. 1968, Act 8, Imd. Eff. Mar. 20, 1968.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the State Board of Education pursuant to the Rehabilitation Act, Act No. 232 of the Public Acts of 1964, being Section 395.81 et seq. of the Michigan Compiled Laws, Act No. 111 of the Public Acts of 1952, as amended, being Section 395.151 et seq. of the Michigan Compiled Laws, and Act No. 317 of the Public Acts of 1969, as amended, being Section 418.101 et seq. of the Michigan Compiled Laws, to the Michigan Jobs Commission, see E.R.O. No. 1993-11, compiled at MCL 388.991 of the Michigan Compiled Laws.

For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

395.152 Gifts; acceptance, effect.

Sec. 2. The state board of education is authorized to accept gifts, grants or devises of property, real, personal or mixed, for the benefit of the state technical institute and rehabilitation center, and it is further authorized and empowered to do any other act or acts necessary in the proper management of it: Provided, That the acceptance of such gifts, grants or devises of property does not obligate the state to continue these programs nor require state matching funds to make such programs operative.

History: 1952, Act 111, Eff. Sept. 18, 1952;—Am. 1959, Act 69, Eff. Mar. 19, 1960;—Am. 1968, Act 8, Imd. Eff. Mar. 20, 1968.

Compiler's note: For transfer of powers and duties of department of career development, including any board, commission, council, or similar entity within the department of career development, to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

DEMONSTRATION EDUCATIONAL AND WORK EXPERIENCE PROGRAMS

Act 238 of 1964

AN ACT to authorize the state of Michigan, boards of supervisors, local governing boards and school districts to appropriate moneys to foster and maintain demonstration educational and work experience programs through a special job upgrading program for unemployed, out of work, school dropouts; define the powers and duties of the superintendent of public instruction; and to provide for appropriations.

History: 1964, Act 238, Imd. Eff. May 28, 1964.

The People of the State of Michigan enact:

395.171 Job upgrading program; demonstration education and work experience programs, maintenance, purpose.

Sec. 1. The state of Michigan, the board of supervisors of any county, or the governing body of any city, village, township and school district of this state, may furnish and appropriate money to foster and maintain demonstration education and work experience programs through a special job upgrading program for unemployed, out of work, school dropouts who have been out of school at least 2 months and are between 16 and 20 years of age under plans approved by the superintendent of public instruction. This job upgrading program shall combine in-school training with subsidized work experience for school dropouts to make them more employable and to assist them in job placement.

History: 1964, Act 238, Imd. Eff. May 28, 1964.

395.172 Job upgrading program; rules and regulations, contents; eligibility of applicants; planning coordination.

Sec. 2. The superintendent of public instruction, under the authority of this act, shall promulgate rules and regulations in accordance with the provisions of Act No. 88 of the Public Acts of 1943, as amended, being sections 24.71 to 24.82 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948, which rules and regulations, among other things, shall contain criteria for the securing of approval of local school requests for state aid grants for demonstration job upgrading programs. Such rules and regulations shall require a demonstrated need for such a local program, and require that a qualified teacher or teachers must be available, classrooms with adequate equipment, facilities and supplies are available, a minimum of 10 students are eligible for enrollment, and an adequate instructional program has been planned, that a subsidized work experience program is available and plans have been developed for a nonprofit corporation, composed of representatives of public and private agencies and community persons with the objective of raising, receiving and disbursing private funds to be used in subsidizing job experiences for students. Eligibility for enrollment and placement shall be based upon the applicant's scholastic and vocational aptitude and health status. Planning for evaluation of health status and correction of defects shall be coordinated by contract with the local health department.

History: 1964, Act 238, Imd. Eff. May 28, 1964.

Administrative rules: R 340.201 et seq. of the Michigan Administrative Code.

395.173 Local school district; appropriation.

Sec. 3. The local school district shall appropriate adequate funds to cover the cost of supplies, materials, services and salaries of the teacher-coordinators for an 11-month program, except that the state of Michigan may appropriate \$10,000.00 per year towards such a program approved under section 2 of this act.

History: 1964, Act 238, Imd. Eff. May 28, 1964.

395.174 Local community; subsidization.

Sec. 4. The local community, through a nonprofit corporation composed of representatives of public and private agencies and community leaders, shall undertake the raising of funds for the subsidizing of part-time work experience (for a minimum of 6 weeks) for students in the job upgrading program. Students will be paid a minimum of 60 cents per hour for a 20-hour week and shall perform work that will not result in the displacement of regular workers, in addition to being of training benefit to them.

History: 1964, Act 238, Imd. Eff. May 28, 1964.

395.175 State appropriation; report.

Sec. 5. There is hereby appropriated from the general fund of the state for the fiscal year ending June 30,

1965 the sum of \$30,000.00 to the department of public instruction to be used to help establish demonstration job upgrading programs in 3 local school districts in the amount of \$10,000.00 each toward the total cost of each program approved under section 2 of this act. The department of public instruction shall annually on or before June 30 of each year report to the legislature as to the status of the programs undertaken by this act.

History: 1964, Act 238, Imd. Eff. May 28, 1964.

***** ACT 34 OF 1965 THIS ACT IS NOT EFFECTIVE AFTER JULY 1, 1967: See 395.203 *****

FEDERAL FUNDS UNDER ECONOMIC OPPORTUNITY ACT OF 1964
Act 34 of 1965

AN ACT to authorize the state board of education to accept federal funds under the economic opportunity act of 1964; and to provide for the expenditure of such funds.

History: 1965, Act 34, Imd. Eff. May 19, 1965;—Am. 1966, Act 111, Imd. Eff. June 22, 1966.

The People of the State of Michigan enact:

***** 395.201 THIS SECTION IS NOT EFFECTIVE AFTER JULY 1, 1967: See 395.203 *****

395.201 Federal economic opportunity act of 1964; state board of education, compliance; acceptance and expenditure of federal funds.

Sec. 1. The state board of education may take any necessary action consistent with state law to comply with the provisions of Public Law 452 of the 88th Congress, known as the “economic opportunity act of 1964” and may accept and expend federal funds available under this law.

History: 1965, Act 34, Imd. Eff. May 19, 1965;—Am. 1966, Act 111, Imd. Eff. June 22, 1966.

***** 395.202 THIS SECTION IS NOT EFFECTIVE AFTER JULY 1, 1967: See 395.203 *****

395.202 Construction of act as to expenditure of state funds; accounting.

Sec. 2. This act shall not be construed as authorization to expend nor to incur any obligation to expend any state funds in excess of any amount which may be appropriated for such purpose by the legislature. Any funds appropriated shall be paid out of the state treasury in accordance with state accounting procedures necessary to assure proper distribution of and accounting for federal funds paid to the state.

History: 1965, Act 34, Imd. Eff. May 19, 1965.

***** 395.203 THIS SECTION IS NOT EFFECTIVE AFTER JULY 1, 1967: See 395.203 *****

395.203 Act effective until July 1, 1967.

Sec. 3. This act shall remain in effect until July 1, 1967.

History: 1965, Act 34, Imd. Eff. May 19, 1965;—Am. 1966, Act 111, Imd. Eff. June 22, 1966.

***** *Act 11 of 1968 SECTIONS 1 TO 7 WERE REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988* *****

COMMISSION ON HANDICAPPER CONCERNS

Act 11 of 1968

AN ACT to establish a commission on handicapper concerns; to prescribe its powers and duties; and to provide an expiration date for its powers and duties.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968;—Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978.

The People of the State of Michigan enact:

***** *395.301 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988* *****

395.301 Establishment of commission.

Sec. 1. A commission on handicapper concerns is established in the department of labor.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968;—Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978.

***** *395.302 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988* *****

395.302 Commission on handicapper concerns; members, appointment, terms, vacancies, officers, expenses.

Sec. 2. The governor shall appoint by and with the advice and consent of the senate the 21 members of the commission for terms of 3 years, except that of the members first appointed, 7 each shall be appointed for terms of 1, 2 and 3 years. Vacancies shall be filled in the same manner as the original appointments and for the balance of the unexpired term. The governor shall designate a chairman and a vice-chairman from the members of the commission. The chairman shall be the chief executive officer of the commission. Members of the commission shall be reimbursed only for their actual and necessary expenses incurred in the performance of their duties.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968.

***** *395.303 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988* *****

395.303 Duties of commission.

Sec. 3. The department of labor through the commission shall do the following:

- (a) Stimulate and encourage formation throughout the state of local committees for concerns of handicappers.
- (b) Promote increased public and private interest and support for well-being of handicappers.
- (c) Secure appropriate recognition of handicappers' accomplishments and contributions to this state.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968;—Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978.

***** *395.304 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988* *****

395.304 Federal funds; private gifts and donations.

Sec. 4. The department of labor may accept federal funds granted by congress or executive order for the purposes of this act as well as private gifts and donations from individuals, private organizations, or foundations. However, acceptance and use of federal funds does not commit state funds and does not place an obligation upon the legislature to continue the purposes for which the funds are made available.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968;—Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978.

***** 395.305 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.305 Commission on handicapper concerns; cooperation of state agencies.

Sec. 5. The commission shall have the full cooperation of all executive departments and agencies of the state in the performance of its duties.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968.

***** 395.306 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.306 Annual report.

Sec. 6. The department of labor shall submit an annual report to the governor including recommendations for improvements in programs for handicappers.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968;—Am. 1978, Act 58, Imd. Eff. Mar. 10, 1978.

***** 395.307 THIS SECTION WAS REPEALED BY SECTION 2(1) OF ACT 285 OF 1982, EFFECTIVE SEPTEMBER 30, 1985. SECTION 2 OF ACT 285 OF 1982 WAS REPEALED BY ACT 134 OF 1985, EFFECTIVE SEPTEMBER 30, 1985, AND BY ACT 108 OF 1988, EFFECTIVE APRIL 11, 1988 *****

395.307 Commission on handicapper concerns; promulgation of rules and regulations.

Sec. 7. The commission shall have no authority to promulgate rules and regulations.

History: 1968, Act 11, Imd. Eff. Mar. 29, 1968.

395.308 Repealed. 1985, Act 134, Imd. Eff. Sept. 30, 1985.

Compiler's note: The repealed section extended the time for completion of activities by the commission on handicapper concerns and required a report and public hearings.

**THE CENTRAL DISABILITY RESOURCE DIRECTORY ACT
Act 575 of 1996**

395.321-395.331 Repealed. 1996, Act 575, Eff. Mar. 31, 2000.

EXECUTIVE REORGANIZATION ORDER
E.R.O. No. 1995-10

395.351 Transfer of powers and duties of commission on handicapper concerns to commission on disability concerns by type II transfer; abolish commission on handicapper concerns.

WHEREAS, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, the Commission on Handicapper Concerns was created by Act No. 11 of the Public Acts of 1968, as amended by Act No. 58 of the Public Acts of 1978, being Sections 395.301 et seq. of the Michigan Compiled Laws, in the Michigan Department of Labor; and

WHEREAS, the functions, duties and responsibilities assigned to the Commission on Handicapper Concerns can be more effectively organized and carried out by the Commission on Disability Concerns within the Michigan Department of Labor; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

1. The Commission on Disability Concerns is hereby created within the Michigan Department of Labor.

2. All the statutory authority, powers, duties, functions and responsibilities created under Sections one (1) through seven (7) of Act No. 11 of the Public Acts of 1968, as amended by Act No. 58 of the Public Acts of 1978, being Sections 395.301 et seq. of the Michigan Compiled Laws, are hereby transferred to the Commission on Disability Concerns within the Michigan Department of Labor by a Type II transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

3. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Commission on Handicapper Concerns within the Department of Labor, are hereby transferred to the Commission on Disability Concerns within the Department of Labor.

4. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

5. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

6. The Commission on Handicapper Concerns is hereby abolished.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective 60 days from the filing of this Order.

History: 1995, E.R.O. No. 1995-10, Eff. July 23, 1995.

Compiler's note: For transfer of commission on disability concerns from family independence agency to department of labor and economic growth by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.